

EXHIBIT "A"

SUMMONS

**IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

JESSE HALBERT,)	
Plaintiff,)	
)	CIVIL ACTION
v.)	FILE NO:
)	21-C-06693-S3
MARRIOTT INTERNATIONAL, INC.)	
Defendant.)	

SUMMONS**TO THE ABOVE NAMED DEFENDANT:**

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

André Dennis
 The Dennis Law Firm, LLC
 101 Marietta Street NW
 Suite 2200
 Atlanta, GA 30303
 (404) 850-7951

An answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

9TH SEPTEMBER
 This _____ day of _____, 2021.

TIANA P. GARNER

Clerk of State Court of Gwinnett County

By *Tiana P. Garner*
 Deputy Clerk

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

JESSE HALBERT,)	
Plaintiff,)	
)	CIVIL ACTION
v.)	FILE NO:
)	21-C-06693-S3
MARRIOTT INTERNATIONAL, INC.)	
Defendant.)	

COMPLAINT

COMES NOW, JESSE HALBERT, in the above-styled action and hereby files this Complaint and shows this Honorable Court as follows:

1.

MARRIOTT INTERNATIONAL, INC. (hereinafter "Defendant") is a foreign for-profit corporation registered to do business in the state of Georgia and subject to the jurisdiction and venue of this Court. Service may be made upon Marriott, Inc. by serving its Registered Agent, C T Corporation System, 289 South Culver Street, Lawrenceville, Georgia 30046.

2.

Defendant has been properly served with process in this action

3.

Defendant is a foreign corporation registered in Georgia and operates in Dekalb County at 4021 Lakeview Drive, Stone Mountain, Georgia 30083, as Atlanta Evergreen Marriott Conference Resort.

4.

The State Court of Gwinnett County, Georgia has jurisdiction over the subject matter.

5.

On or about July 22, 2019, Plaintiff was an invitee at Defendant's establishment, Atlanta Evergreen Marriott Conference Resort located at 4021 Lakeview Drive, Stone Mountain, Georgia 30083.

6.

While exercising due care, Plaintiff slipped and fell on water on the floor as he entered the restroom.

7.

The Defendant negligently failed to maintain a safe environment for invitees by not taking the necessary precautionary measures for a wet floor.

8.

The Defendant had a duty to inspect and maintain the premises.

9.

The Defendant breached that duty to inspect and maintain the premises.

10.

Defendant's breach of the duty to inspect and maintain the premises is the actual and proximate cause for Plaintiff's injuries.

11.

At all relevant times, Defendant owed premises owner-invitee duties to Plaintiff and notwithstanding those duties, the Defendant did violate them in the following particulars:

- a) Failed to inspect for dangerous conditions on the premises;
- b) Failed to warn invitees of dangerous condition;
- c) Breached its duty of ordinary care as an owner and or occupier of premises open to the public;
- d) Caused injury to an invitee on its premises;
- e) And any other acts of negligence that may be proven at trial.

12.

The actions of the Defendant constitute a direct violation of O.C.G.A. § 51-3-1, where an owner or occupier of land, by express or implied invitation, induces or leads others to come upon his premises

for any lawful purpose, he is liable in damages to such persons for injuries caused by his failure to exercise ordinary care in keeping the premises and approaches safe.

13.

Defendant's negligence is the sole and proximate cause of Plaintiff's injuries.

14.

As a result of Defendant's negligence, Plaintiff has incurred reasonable, necessary, and continuing past, present, and future medical expenses from the injuries, and will continue to incur expenses in the future, in an amount to be proven at trial.

15.

As a further direct and proximate result of Defendant's negligence, Plaintiff has sustained physical pain and suffering as well as emotional distress, and Plaintiff will continue to suffer in the future.

16.

Because of these injuries, Plaintiff has incurred medical expenses of more than \$40,153.72 to date.

17.

At all times mentioned herein, Plaintiff acted with reasonable care under the conditions and circumstances then existing.

18.

Plaintiff did not assume the risk nor was Plaintiff comparatively negligent.

As a result of the Defendant and their agents' bad faith, stubborn litigiousness, and the unnecessary trouble and expenses Defendant has caused, Plaintiff is entitled to recover all expenses and attorney's fees pursuant to O.C.G.A. § 13-6-11.

WHEREFORE, Plaintiff prays for the following:

- a) That service of process is issued upon the Defendant as provided by law;

- b) That Plaintiff be awarded compensatory damages and general damages for pain and suffering, past, present and future in a sum and amount to be shown at trial in accordance with the enlightened conscious of an impartial jury;
- c) That Plaintiff be awarded special damages in a sum and amount to be shown at trial in accordance with the enlightened conscious of an impartial jury;
- d) That Plaintiff have a trial by jury on all issues;
- e) For all costs of this action, including attorney's fees, all with interest, as provided by law; and
- f) That Plaintiff have such other and further relief as this Honorable Court deems just and proper under the circumstances.

Respectfully submitted,

THE DENNIS LAW FIRM, LLC



André Dennis
Georgia Bar No. 606645
Attorney for Plaintiff

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